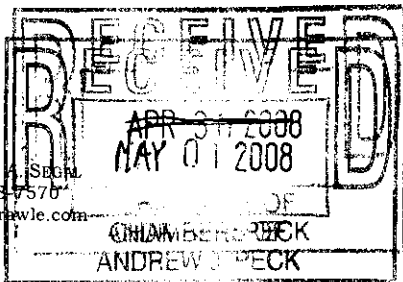


## RAWLE &amp; HENDERSON LLP



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April 28, 2008

Filed via ECF

Hon. Andrew J. Peck, USMJ  
United States District Court  
Southern District of New York

**Re:** Dionne Lee v. Bawuah & Cowan Systems, LLC  
Civil Action No. 07-cv-9917  
Our File No.: 801840

Dear Judge Peck:

Defendants, Cowan Systems, LLC and Richard K. Bawuah, herein write for the Court's assistance in the above-referenced matter.

To date we still have not received plaintiff's Rule 26 Disclosures. Further, all discovery, including factual and expert, is to be completed by June 15, 2008. Depositions in this matter were previously scheduled for March 27, 2008, but cancelled by plaintiff's counsel. Depositions were then scheduled for today, April 28, 2008. However, on Friday, April 25, 2008, we attempted several times to reach plaintiff's counsel to confirm the depositions so that we could finalize travel arrangements for our driver as he resides out of state. As we were unsuccessful, the depositions were cancelled. In light of the foregoing, Defendants herein request a thirty (30) day extension of the discovery deadline.

Thank you for your assistance in this matter.

Respectfully submitted,

RAWLE & HENDERSON LLP

By:

Jeffrey A. Segal

/MLB

cc:

Winston B. Rouse, Esquire

**MEMO ENDORSED**

1. Extension denied 5/2/08  
2. Deposition should occur before  
discovery period - and if  
plaintiff does not depose the  
driver before the discovery  
period, that deposition is waived

3. Plaintiff's counsel is to  
appear at the deposition and  
show a good faith  
effort of 5/9/08 sanctions will  
be imposed.  
4. A status conference is scheduled  
before me for 5/16 at 9:00 (to discuss  
progress - driver, etc.).

SO ORDERED:

Hon. Andrew Jay Peck  
United States Magistrate Judge

2389726-1

PHILADELPHIA, PA PITTSBURGH, PA HARRISBURG, PA MEDIA, PA MARLTON, NJ NEW YORK, NY WILMINGTON, DE WHEELING, WV

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933  
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**Dated:** May 2, 2008

**Total Number of Pages:** 2

TO	FAX NUMBER
Jeffrey A. Segal, Esq.	212-858-7750
Winston B. Rouse, Esq.	718-588-8958

## **TRANSCRIPTION:**

### **MEMO ENDORSED 5/2/08**

1. Extension denied.
2. Defendant shall now have deposition priority – and if plaintiff does not depose the defendant's driver before the discovery cutoff, that deposition is waived.
3. Plaintiff's counsel is to contact defense counsel and reach an agreed deposition schedule by 5/9 or sanctions will be imposed.
4. A status conf. is scheduled before me for 5/16 at 9:30 AM (to discuss progress in the discovery, etc.)

**Copy to:** Judge Richard M. Berman